

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04cr271

UNITED STATES OF AMERICA

vs.

TRACY HOWARD (1)

ORDER

**THIS MATTER** is before the Court upon the letter motion of the defendant to remove his third court-appointed counsel and replace him with new appointed counsel.

The letter was received by the Court on March 21, 2006, two weeks before the defendant's trial date. The trial of this case has previously been continued eight times. The defendant's allegations of ineffective assistance of counsel are not sufficient to warrant substitution of counsel at this late date. Accordingly, if the defendant chooses not to cooperate with his third appointed counsel, he may represent himself at trial. United States v. Morsley, 64 F.3d 907, 918 (4th Cir. 1995).

**IT IS, THEREFORE, ORDERED** that the defendant's motion is DENIED.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: March 24, 2006



Robert J. Conrad, Jr.  
United States District Judge

